

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Dawn Smith, et al.,

Civil No. 04-1403 (RHK/AJB)

Plaintiffs,

vs.

ORDER

Heartland Automotive Services, Inc.,
d/b/a Jiffy Lube,

Defendant.

In accordance with Defendant's November 16, 2005 letter proposal, to which Plaintiffs have no objections, **IT IS ORDERED:**

1. Defendant shall, with respect to the two named Defendants, comply with the dispositive motion deadline established in the Amended Pretrial Scheduling Order; and
2. If the pending Motion for Decertification is denied, the Pretrial Scheduling Order will be amended so as to give Defendant at least 30 days with which to file and brief dispositive motions on behalf of the opt-in plaintiffs and a new trial date will be established.

Dated: November 22, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge